



## Singapore

### Country Reports on Human Rights Practices - [2002](#)

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Singapore is a parliamentary republic in which politics was dominated overwhelmingly by the People's Action Party (PAP), which has been in power since the country gained autonomy from the United Kingdom in 1959. Opposition parties existed, and there were regularly contested elections. However, the PAP held 82 of 84 elected parliamentary seats and all ministerial positions. Elections took place at regular, constitutionally mandated intervals. The judiciary was efficient and constitutionally independent; however, there was a perception that it reflected the views of the executive in politically sensitive cases. In the past, government leaders have used court proceedings, in particular defamation suits, against political opponents and critics.

The police were responsible for routine security within the country and for border protection, including action against illegal immigrants. Military forces were responsible for external defense. The Internal Security Department (ISD) in the Ministry of Home Affairs was authorized by the Internal Security Act (ISA) to counter perceived threats to the nation's security such as espionage, international terrorism, threats to racial and religious harmony, and subversion. The Government maintained effective control over all security activities. Some members of the security forces committed human rights abuses.

The country has a free market economy. The country's population was approximately 4 million. Financial and business services industries, manufacturing of semiconductors and telecommunications equipment, and petroleum refining and petrochemical production were key sectors of the economy. The Government liberalized market access for telecommunications and some types of financial services. The economy grew by 2 percent, following a 2 percent decline in 2001. Wealth was distributed broadly, and the unemployment rate was low.

The Government generally respected the human rights of its citizens; however, there were significant problems in some areas. The Government had wide powers to limit citizens' rights and to handicap political opposition. There were a few instances of police abuse of detainees; however, the Government investigated and punished those found guilty, and the media fully covered allegations of mistreatment. Caning, in addition to imprisonment, was a routine punishment for numerous offenses. The Government continued to rely on preventive detention to deal with espionage, terrorism, organized crime, and narcotics. The authorities sometimes infringed on citizens' privacy rights. The Government continued to significantly restrict freedom of speech and freedom of the press, as well as to limit other civil and political rights. Government pressure to conform resulted in the practice of self-censorship among journalists. Government leaders continued to utilize court proceedings and defamation suits against political opponents and critics. These suits, which have consistently been decided in favor of government plaintiffs, chilled political speech and action and created a perception that the ruling party used the judicial system for political purposes. Following the 2001 general election, Senior Minister Lee Kuan Yen and Prime Minister Goh Chok Tong sued an opposition leader, Chee Soon Juan, for defamation based upon comments Chee made during the campaign. In August a court ordered a hearing to set the amount of damages Chee would owe the Ministers. Chee, who said he could not find a local lawyer, was not allowed to bring in foreign counsel and represented himself in the hearing.

There was a moderate level of ongoing debate in newspapers and Internet chat groups on various public issues. A Speakers' Corner continued to provide a public forum for persons to speak on a range of issues. However, government restrictions on its use, including prohibitions on sensitive ethnic or religious issues, inhibited free speech. The Government significantly restricted freedom of assembly and freedom of association. Jehovah's Witnesses and the Unification Church were banned; however, in general, freedom of religion otherwise was respected. There was some legal discrimination against women, which affected benefits for children and husbands in limited cases. The Government moved actively to counter societal discrimination against women and minorities, and recent legal changes improved treatment for women regarding spousal immigration and health benefits for civil servants. The Government was strongly committed to children's rights and welfare, and implemented a comprehensive program for barrier-free accessibility for persons with disabilities. Foreign workers were vulnerable to mistreatment and abuse. Violence and some discrimination against women and concern over possible trafficking in persons for the purpose of prostitution persisted. Singapore was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as an observer.

#### RESPECT FOR HUMAN RIGHTS

## Section 1 Respect for the Integrity of the Person, Including Freedom From:

### a. Arbitrary or Unlawful Deprivation of Life

There were no reports of arbitrary or unlawful deprivation of life committed by the Government or its agents.

### b. Disappearance

There were no reports of politically motivated disappearances.

### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture; however, there were occasional instances of police mistreatment of detainees, and there were a few reports of police abuse during the year. Persons who alleged mistreatment by the police were permitted to bring criminal charges against government officials who were alleged to have committed such acts. The media reports fully on allegations of police abuse of those arrested, and the Government took action against abusers. Approximately 10 law enforcement officers were imprisoned between 1995 and 1999 for using excessive force on prisoners and suspects. In 2001 four prison guards were sentenced to 9 months in prison for handcuffing and beating a prisoner in 2000. Also in 2001, a police corporal was sentenced to 9 months in prison for kicking a man in 2000.

The Penal Code mandates caning, in addition to imprisonment, as punishment for approximately 30 offenses involving the use of violence or threat of violence against a person, such as rape and robbery, and for nonviolent offenses such as vandalism, drug trafficking, and violation of immigration laws. Caning is discretionary for convictions on other charges involving the use of criminal force, such as kidnaping or voluntarily causing grievous hurt. Women and men over age 50 or under age 16, and those determined medically unfit are exempt from punishment by caning. Although statistics for the year were not available, caning was a commonly administered punishment within the stipulations of the law.

Prison conditions, while Spartan, generally were believed to meet international standards. However, an opposition member who served a 5-week prison sentence said after his release that he and other sick bay inmates had been chained to their beds at night. The Government responded that the inmates were restrained to minimize the risk of hurting themselves, medical staff, or other inmates. The Government did not allow human rights monitors to visit prisons; however, embassy officials were given consular access.

### d. Arbitrary Arrest, Detention, or Exile

The law provides that, in most instances, arrests are carried out following the issuance of an authorized warrant; however, some laws provide for arrests without warrants. Those arrested must be charged before a magistrate within 48 hours. The majority of those arrested are charged expeditiously and brought to trial. Those who faced criminal charges were allowed counsel, and the Law Society of Singapore administered a criminal legal aid plan for those who could not afford to hire an attorney. A functioning system of bail exists. In death penalty cases, the Supreme Court appoints two attorneys for those defendants who are unable to afford their own counsel.

Some laws—the Internal Security Act (ISA), the Criminal Law (Temporary Provisions) Act (CLA), the Misuse of Drugs Act (MDA), and the Undesirable Publications Act (UPA)—have provisions for arrest and detention without a warrant or judicial review. The ISA has been employed primarily against suspected security threats. Historically, these threats have been Communist-related; however, during the year, the ISA was employed against suspected terrorists. Opposition politicians have called for the abolition of the ISA, but the Government rejected these calls, claiming that citizens accept the act as an element of the nation's security. The CLA historically has been employed primarily against suspected organized crime and drug trafficking.

The ISA and the CLA permit preventive detention without trial for the protection of public security, safety, or the maintenance of public order. The ISA gives broad discretion to the Minister for Home Affairs to order detention without charge at the direction of the President, if the latter determines that a person poses a threat to national security. The initial detention may be for up to 2 years and may be renewed without limitation for additional periods up to 2 years at a time. Detainees have a right to be informed of the grounds for their detention and are entitled to counsel. However, they have no right to challenge the substantive basis for their detention through the courts. The ISA specifically excludes recourse to the normal judicial system for review of a detention order made under its authority. Instead detainees may make representations to an advisory board, headed by a Supreme Court justice, which reviews each detainee's case periodically and must make a recommendation to the President within 3 months of the initial detention. The President may concur with the advisory board's recommendation that a detainee be released prior to the expiration of the detention order but is not obligated to do so.

In 2000 the Government released a statement confirming that an individual detained by the ISA in 1998 was still in detention, however, it was not clear whether this was still the case at year's end. There were no further reports of detainees under the ISA until the end of 2001, when 15 suspected Islamic militants were detained, some of whom were alleged to have ties to the Al-Qa'ida terrorist organization. Thirteen of these were ordered subsequently to

preventive detention for a period of 2 years; two others were released with restrictions on their travel and their contacts. In August, additional terrorist suspects were detained under the ISA. Three were subsequently released with restrictions.

The CLA comes up for renewal every 5 years, most recently in 1999. Under its provisions, the Minister for Home Affairs may order preventive detention, with the concurrence of the Public Prosecutor, for an initial period of 1 year, and the President may extend detention for additional periods of up to 1 year at a time. The Minister must provide a written statement of the grounds for detention to the Criminal Law Advisory Committee (CLAC) within 28 days of the order. The CLAC then reviews the case at a private hearing. CLAC rules require detainees to be notified of the grounds of their detention at least 10 days prior to this hearing, in which a detainee may represent himself or be represented by a lawyer. After the hearing, the Committee makes a written recommendation to the President, who may cancel, confirm, or amend the detention order. However, persons detained under the CLA may have recourse to the courts via an application of a writ of habeas corpus. Persons detained without trial under the CLA are entitled to counsel but may challenge only the substantive basis for their detention to the CLAC. The CLA is used almost exclusively in cases involving narcotics or criminal organizations and has not been used for political purposes. According to official figures, approximately 400 persons were in detention under the provisions of the CLA as of June 2000, the most recent year for which information was available. Persons who allege mistreatment while in detention may bring criminal charges against government officials who are alleged to have committed such acts.

Both the ISA and the CLA contain provisions that allow for modified forms of detention such as curfews, residence limitations, requirements to report regularly to the authorities, limitations on travel, and, in the case of the ISA, restrictions on political activities and association.

The MDA permits detention without trial. Under the MDA, the director of the CNB also may commit—without trial—suspected drug abusers to a drug rehabilitation center for a 6-month period, which is extendable by a review committee of the institution for up to a maximum of 3 years. Under the Intoxicating Substances Act, the CNB director may order the treatment for rehabilitation of a person believed to be an inhalant drug abuser for up to 6 months.

The Constitution prohibits exile and the country did not use forced exile.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision; however, in practice, laws that limit judicial review allow for some restrictions on Constitutional rights. Some judicial officials, especially Supreme Court judges, had ties to the ruling party and its leaders. The President appoints judges to the Supreme Court on the recommendation of the Prime Minister and in consultation with the Chief Justice. The President also appoints subordinate court judges on the recommendation of the Chief Justice. The term of appointment is determined by the Legal Service Commission, of which the Chief Justice is the Chairman. Under the ISA and the CLA, the President and the Minister of Home Affairs have substantial de facto judicial power, which explicitly (in the case of the ISA) or implicitly (in the case of the CLA) excludes normal judicial review. These laws provide the Government with the power to limit, on vaguely defined national security grounds, the scope of certain fundamental liberties that otherwise are provided for in the Constitution.

Government leaders historically have used court proceedings, in particular defamation suits, against political opponents and critics (see Sections 2.a. and 3). Both this practice and consistent awards in favor of government plaintiffs raised questions about the relationship between the Government and the judiciary and led to a perception that the judiciary reflected the views of the executive in politically sensitive cases. Opposition leader Chee Soon Juan, charged with defamation by the Prime Minister and Senior Minister, stated he was unable to retain experienced local counsel (see Section 2.a.). Chee requested the judge hearing the case to allow a foreign lawyer to represent him. In April the judge ruled that he had not established that the complexity of his case merited foreign counsel and refused the request. In an August summary judgment proceeding, Chee represented himself unsuccessfully. He protested that the judge's bar against foreign counsel significantly had handicapped his ability to receive a fair hearing.

The judicial system has two levels of courts: The Supreme Court, which includes the High Court and the Court of Appeal, and the subordinate courts. Subordinate court judges and magistrates, as well as public prosecutors, are civil servants whose specific assignments are determined by the Legal Service Commission, which can decide on job transfers to any of several legal service departments. The subordinate courts handle the great majority of civil and criminal cases in the first instance. The High Court may hear any civil or criminal case, although it generally limits itself to civil matters involving substantial claims and criminal matters carrying the death penalty or imprisonment of more than 10 years. The Court of Appeal is the highest and final court of review for matters decided in the subordinate courts or the High Court. In addition, the law provides for Islamic courts whose authority is limited to Islamic family law, which is applicable only to Muslims. Supreme Court Justices may choose to remain in office until the mandatory retirement age of 65, after which they may continue to serve at the Government's discretion for brief, renewable terms at full salary. The Constitution has a provision for the Prime Minister or the Chief Justice to convene a tribunal to remove a justice "on the ground of misbehavior or inability...to properly discharge the functions" of office, but it never has been used.

The judicial system provides citizens with an efficient judicial process. In normal cases, the Criminal Procedures Code provides that a charge against a defendant must be read and explained to him as soon as it is framed by the prosecution or the magistrate. Defendants enjoy a presumption of innocence and the right of appeal in most cases. They have the right to be

present at their trials and to be represented by an attorney; the Law Society administers a criminal legal aid plan for those who cannot afford to hire an attorney. Defendants also have the right to confront witnesses against them, to provide witnesses and evidence on their own behalf, and to review government-held evidence relevant to their cases. Trials are public and heard by a judge; there are no jury trials.

The Constitution extends these rights to all citizens. However, persons detained under the ISA or CLA are not entitled to a public trial. In addition, proceedings of the advisory board under the ISA and CLA are not public (see Section 1.d.).

There is a two-tier military court system, which has jurisdiction over all military servicemen, civilians in the service of the Armed Forces, and volunteers when they are ordered to report for service. The Military Court of Appeal has the jurisdiction to examine an appeal from a person convicted at a subordinate military court. The trials are public and the defendants have the right to be present. An accused individual also has the right to defense representation.

There were no reports of political prisoners.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution does not address privacy rights. The Government generally respected the privacy of homes and families; however, it had a pervasive influence over civic and economic life and sometimes used its wide discretionary powers to infringe on these rights. Normally the police must have a warrant issued by a magistrate's court to conduct a search; however, they may search a person, home, or a property without a warrant if they decide that such a search is necessary to preserve evidence. The Government has wide discretionary powers under the ISA, CLA, MDA, and UPA to conduct searches without a warrant if it determines that national security, public safety and order, or the public interest are at issue. Defendants may request judicial review of such searches.

Law enforcement agencies, including the Internal Security Department and the Corrupt Practices Investigation Board, had extensive networks for gathering information and conducting surveillance, and highly sophisticated capabilities to monitor telephone and other private conversations. No court warrants were required for such operations. It was believed that the authorities routinely monitored telephone conversations and the use of the Internet; however, there were no confirmed reports of such practices during the year. The law permits government monitoring of Internet use. It was widely believed that the authorities routinely conducted surveillance on some opposition politicians and other government critics; however, no such reports were substantiated during the year.

In pursuit of what it considered the public interest, the Government generally enforced ethnic ratios for publicly subsidized housing, where the majority of citizens lived and owned their own units. The policy was designed to achieve an ethnic mix more or less in proportion to that in society at large (see Sections 1.d. and 5).

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and freedom of expression but permits official restrictions on these rights, and in practice the Government significantly restricted freedom of speech and freedom of the press. The government's authoritarian style fostered an atmosphere inimical to free speech and a free press. Government intimidation and pressure to conform resulted in the practice of self-censorship among journalists; however, there was some limited progress towards greater openness during the year, including a moderate level of ongoing debate in newspapers and Internet chat groups on various public issues.

Under the ISA, the Government may restrict or place conditions on publications that incite violence, that counsel disobedience to the law, that might arouse tensions among the various segments of the population (races, religions, and language groups), or that might threaten national interests, national security, or public order. While the ISA rarely was invoked in recent years, political opposition, and criticism remained restricted by the government's authority to define these powers broadly. Occasional government references to speech that it considered "out-of-bounds" were understood to be implicit threats to invoke the ISA; however, these limits are not codified, and journalists and others generally believed these limitations have shifted toward greater tolerance in recent years.

Government leaders urged that news media support the goals of the elected leadership and help maintain social and religious harmony. In addition, strict defamation and press laws and the government's demonstrated willingness to respond vigorously to what it considered personal attacks on officials sometimes led journalists and editors to moderate or limit what was published.

Under the Public Entertainment and Meetings Act (PEMA), a permit is required for virtually any form of public speech or entertainment (see also Section 2.b.). In June Chee Soon Juan, Secretary-General of the opposition Singapore Democratic Party, after being denied a permit, was charged under PEMA for holding an unauthorized rally in May outside the Istana, the government compound housing the offices of the President and the Prime Minister. Chee was fined \$2,500 (S\$4500) and his colleague was fined \$1,700 (S\$3000). Chee chose to serve a 5-week prison sentence rather than pay the fine.

In September 2000, a Speakers' Corner opened in a financial district park; however, government restrictions limit speakers' ability to speak freely. Prospective speakers must be citizens, must show their identification cards, and are required to register in advance with police. However, they do not need to obtain a public entertainment license. There is a ban on sound amplification at the Speakers' Corner. A list of registered speakers was posted on a notice board outside the police station. While speech topics were not required to be declared in advance, government regulations governing the Speakers' Corner stated that "the speech should not be religious in nature and should not have the potential to cause feelings of enmity, ill will, or hostility between different racial or religious groups." In early 2001, police issued a public notice stating that activities at the Speakers' Corner, including demonstrations and marches, required public permits; violators and persons engaging in "disorderly behavior" were subjected to prosecution. A variety of persons, including politicians, social activists, and ordinary citizens, availed themselves of the Speakers' Corner during the year. In February opposition figure Chee Soon Juan spoke at the Corner to criticize the government's enforcement of a ban on schoolgirls wearing the "tudung," a headscarf that some Muslims considered a religious requirement. When he registered to speak, police called Chee's attention to the ban on discussion of sensitive issues, then did so again after he began his speech. Chee was allowed to finish his remarks. However, in July he was charged with violation of the PEMA and convicted. The \$1,700 (S\$3,000) fine imposed on Chee affected his ability to participate in politics. Under the Constitution individuals who are fined more than \$1,100 (S\$2,000) cannot stand in a parliamentary election for 5 years.

The Government strongly influenced both the print and the electronic media. Singapore Press Holdings Ltd. (SPH), a private holding company with close ties to the Government, owned all general circulation newspapers in the four official languages—English, Chinese, Malay, and Tamil. The Government must approve, and can remove, the holders of SPH management shares, who have the power to appoint or dismiss all directors or staff. As a result, while newspapers printed a large and diverse selection of articles from domestic and foreign sources, their editorials, coverage of domestic events, and coverage of sensitive foreign relations issues closely reflected government policies and the opinions of government leaders. However, columnists' opinions, editorials, and letters to the editor expressed a range of moderate opinions on public issues.

Government-linked companies and organizations operated all broadcast television channels and almost all radio stations. Only one radio station, the British Broadcasting Corporation (BBC) World Service, was completely independent of the Government. Some Malaysian and Indonesian television and radio programming could be received, but satellite dishes were banned, with few exceptions. However, households subscribing to cable had access to three foreign television news channels and many entertainment channels, including some with news programs.

An increasing number of foreign media operations were located within the country. The law requires foreign publications that report on politics and current events in Southeast Asia to register, to post a \$133,000 (S\$234,000) bond, and to name a person in the country to accept legal service. These requirements strengthen the government's control over foreign media. Under the Newspaper and Printing Presses Act, the Government may limit the circulation of foreign publications that it determines interfere with domestic politics. The importation of some publications was barred, although a wide range of international magazines and newspapers could be purchased uncensored. However, newspapers printed in Malaysia may not be imported. The weekly circulation of the Asian Wall Street Journal (AWSJ) and the Far Eastern Economic Review (FEER), both foreign publications, was limited (or "gazetted"). Asiaweek also was subjected to circulation limits prior to ceasing publication. The Government gradually has raised the allowed weekly circulation of publications to correspond more or less to actual demand; this permitted the Government to maintain control over the press while still maintaining some flexibility. The Government also may ban the circulation of domestic and foreign publications under provisions of the ISA and the UPA. In 2001 Parliament passed an amendment to the Singapore Broadcasting Act that empowers the Minister for Information and the Arts to "gazette" any foreign broadcaster deemed to be engaging in domestic politics. Once gazetted a broadcaster is required to obtain express permission from the Minister to continue broadcasting in the country. The broadcaster also is subject to restrictions on the number of households receiving its programming, under penalty of fines of up to \$57,000 (S\$100,000).

The country's defamation laws make it relatively easy for plaintiffs to win substantial judgments for damages and legal costs. Threats of defamation actions often persuade newspapers and others to apologize and pay damages for perceived slights, a situation which prompts general caution in expressing criticisms. Critics charged that government leaders used defamation lawsuits or threats of such actions to discourage public criticism and intimidate opposition politicians and the press. The unbroken success of government leaders' suits in the last decade has fostered public caution about political speech and a culture of self-censorship within the news media, and has inhibited opposition politics. During the last decade, ruling party leaders sued opposition politicians J.B. Jeyaretnam, Chee Soon Juan, and Tang Liang Hong for defamation several times. The Government argued that these individuals had repeatedly defamed ruling party leaders, who then acted to clear their names. At the end of 2001, Senior Minister Lee Kuan Yew and Prime Minister Goh Chok Tong sued opposition leader Chee Soon Juan for defamation, based upon comments Chee made during a campaign stop prior to the November general election. During the 2001 campaign, Chee issued a public apology, which he later retracted, then countersued the Senior Minister for calling him a "liar" and a "cheat." In August a court ruled that Chee's earlier statements effectively had conceded the defamation charges, but ordered a hearing to set the amount of damages. Chee represented himself in the hearing after being refused permission to retain foreign counsel (see Section 1.e.). During 2001 J.B. Jeyaretnam, an opposition nonelected Member of Parliament (M.P.) from the Worker's Party (WP), lost an appeal and was declared bankrupt for failing to pay the defamation damages stemming from an earlier WP publication. The bankruptcy forced Jeyaretnam to resign his parliamentary seat (see Section 3). In April Jeyaretnam formally apologized to Senior Minister Lee Kuan Yew and nine other ruling party members for remarks made during the 1997 campaign; those same remarks had been the basis for a 1998 judgment in favor of the Prime Minister. In exchange for the apology, the 10 men dropped defamation lawsuits against Jeyaretnam, and agreed to forgo damages.

In August the Bloomberg news service publicly apologized and agreed to pay \$338,000 (S\$595,000) in damages

to Prime Minister Goh and Senior Minister Lee Kuan Yew for an Internet-distributed Bloomberg column which accused them of nepotism. The column alleged that Ms. Ho Ching, Deputy Prime Minister Le Hsien Loong's wife, was promoted to the senior position in the main government investment holding company because of her relationship with the senior leadership. In July police seized the computers of two men as part of a formal investigation into whether their Internet postings the previous month had constituted criminal defamation. These postings also had raised the issue of nepotism. Conviction on criminal defamation charges can result in a prison sentence of up to 2 years, a fine, or both. One of the men, Zulfikar Mohamad Shariff, later left the country for Australia, asserting that the country's judicial system politically was biased. The other man complained that, 2 weeks after seizure of his computer, authorities had compelled him to stay in a mental facility for more than a week. In 2001 other criminal charges against the man for an Internet posting were dropped after a government consultant told the court he had longstanding mental problems, and his wife agreed to send him for treatment. No new information was available at year's end.

The Singapore Broadcasting Authority (SBA) censored broadcast media and Internet sites. The Ministry of Information and the Arts (MITA) censored all other media, including movies, video materials, computer games, and music. Both SBA and MITA developed censorship standards with the help of a citizen advisory panel. The ISA, the UPA, and the Films Act allow the ban, seizure, censorship, or restriction of written, visual, or musical materials by these two agencies if they determine that such materials threaten the stability of the State, are pro-Communist, contravene moral norms, are pornographic, show excessive or gratuitous sex and violence, glamorize or promote drug use, or incite racial, religious, or linguistic animosities. In June, under these guidelines, a local radio station was fined for adding personal comments to news items in violation of the censorship code. Polls indicated that there was strong public support for continued censorship of sex and violence in films. There was a list of banned films, which was not made public. Certain films that might have been barred from general release may be allowed limited showings, either censored or uncensored, with a special rating.

The list of banned English-language publications consisted primarily of sexually oriented materials, but also included some religious and political publications. In 2001 singer Janet Jackson's album "All for You" was banned officially by the Ministry of Information and the Arts due to the sexually explicit lyrics of one of its tracks; Jackson declined to delete the track from the album. The ban was upheld over an appeal submitted by the local distributor. In March Jackson reissued the album worldwide without the track; authorities approved this version for release.

The Films Act bans political advertising using films or videos, as well as films directed towards any political end. In 2001 police warned three lecturers at a local university that a documentary they made about an opposition politician might have violated the Films Act and that they could be charged in court if they went ahead with a planned screening of the film. They submitted written apologies for making the film and withdrew it from the Festival. Restrictions strictly controlled the types of campaign materials that might be distributed by or about candidates and parties during an election. In 2001 the Government amended the Parliamentary Elections Act to allow political parties to place some election materials on the Internet, while prohibiting nonparty Web sites from campaigning for candidates. Implementing regulations also were issued in 2001.

The SBA regulated access to material on the Internet, using a framework of Web site licenses to encourage accountability and responsible use of the Internet. It also regulated Internet material by licensing Internet service providers through which local users were required to route their Internet connections. Such services acted as a filter for content that the Government considered objectionable and could even block access to certain sites. While the Government did not consider regulation of the Internet to be censorship, the SBA directed service providers to block access to Web pages that, in the government's view, undermined public security, national defense, racial and religious harmony, and public morals. The SBA was believed to have ordered the blocking of approximately 100 specific Web sites, most or all of which the Government considered pornographic. A SBA Internet Code of Practice further specifies what types of material are forbidden and specifies the responsibilities of Internet providers. The SBA indicates it does not intend to monitor the Internet or electronic mail use but to block access to material that contains pornography or excessive violence or incites racial or religious hatred. Those responsible for sites that violated the Code of Practice sometimes faced sanctions, including fines.

In 2001 the SBA ordered Sintercom, which ran an online discussion forum that included some political postings, to register with the authorities as a political Web site. Registration as a political site meant that the organizers had to ensure that site content complied with the Code of Conduct. After an unsuccessful appeal, Sintercom complied with the request. Soon thereafter the founder and sponsor of the site shut it down, citing fatigue after 7 years on the job. In May an anonymous editor resurrected the Sintercom website, hosting it on servers outside of the country.

All public institutions of higher education and political research institutions were linked closely to the Government. Although faculty members were not technically government employees, in practice they were subject to potential government influence. Academics spoke and published widely, and engaged in debate on social and political issues. However, they were aware that any public comments outside the classroom or academic publications that ventured into prohibited areas—criticism of political leaders or sensitive social and economic policies, or comments that could disturb ethnic or religious harmony or that appeared to advocate partisan political views—could subject them to sanctions. Publications by local academics and members of research institutions rarely deviated substantially from government views.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides citizens the right to peaceful assembly but permits Parliament to impose restrictions "it considers

necessary or expedient" in the interest of security. In practice, the Government restricted this right. Public assemblies of five or more persons, including political meetings and rallies, require police permission (see Section 2.a.). Spontaneous public gatherings or demonstrations were virtually unknown. The Government closely monitored political gatherings regardless of the number of persons present. Persons who wished to speak at a public function, excluding functions provided by or under the auspices of the Government, needed to obtain a public entertainment license from the police. However, in 2001 new regulations exempted some cultural events (such as Chinese operas or lion dances), substituting a requirement of a 7-day advance notification to police. In the past, opposition politicians routinely experienced delays before being notified of decisions on their applications, although the Government claimed that the delays came only when applications were submitted late.

In October Singapore Democratic Party leader Chee Soon Juan and a colleague were convicted of an unauthorized May rally at the entrance to the compound where senior government leaders maintained their offices (see Section 2.a.). In 2001 authorities approved two open air public rallies to raise money for defamation judgments against opposition politician J.B. Jeyaretnam, but required the hiring of security guards for crowd control, which organizers complained increased costs significantly.

In 2000 authorities denied approval for a forum on gays and lesbians on the basis that homosexual acts were illegal. Also in 2000, police arrested and charged 15 Falun Gong adherents for conducting a protest without a permit; of these, 2 were Singaporean citizens, 5 were Chinese nationals with permanent residence status, and 8 were Chinese nationals with shorter term immigration status. The group did not seek a permit and asserted that police had not responded to their previous efforts to obtain permits; the authorities stated that these assertions were untrue. Seven of the group were sentenced to 4 weeks in jail for refusing to hand over placards to the police. The other eight, who were charged with assembling without a permit, each were fined \$540 (S\$1000). Of the six imprisoned PRC nationals, authorities later cancelled the immigration status of five, including one permanent resident, and required them to depart the country; the remaining PRC citizen already had departed the country.

Most associations, societies, clubs, religious groups, and other organizations with more than 10 members were required to register with the Government under the Societies Act. The Government denied registration to groups that it believed were likely to have been formed to assemble for unlawful purposes or for purposes prejudicial to public peace, welfare, or public order. The Government has absolute discretion in applying this broad, vague language to register or dissolve societies. The Government prohibits organized political activities except by groups registered as political parties or political organizations. This prohibition limited opposition activities, and contributed to restricting the scope of unofficial political expression and action (see Section 3). The prohibition affected the PAP less because of its long domination of the Government and its overwhelming parliamentary majority; the PAP was able to use nonpolitical organizations such as residential committees and neighborhood groups for political purposes far more extensively than opposition political parties. In 2001 two nongovernmental organizations (NGOs) that often took positions critical of the Government were declared political organizations, but their operations were unaffected. Political parties and organizations were subject to strict financial regulations, including a ban on receiving foreign donations.

There were few NGOs, apart from nonpolitical organizations such as religious groups, ethnically affiliated organizations, and providers of welfare services. The limiting effect of the law on the formation of publicly active organizations was, in large part, responsible for this situation.

### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the Government banned some religious groups. The Constitution provides that every citizen or person in the country has a constitutional right to profess, practice, or propagate his religious belief so long as such activities do not breach any other laws relating to public order, public health, or morality.

All religious groups were subject to government scrutiny and must be registered legally under the Societies Act. The 1992 Maintenance of Religious Harmony Act (MRHA) gives the Government the power to restrain leaders and members of religious groups and institutions from carrying out political activities, "exciting disaffection against" the Government, creating "ill will" between religious groups, or carrying out subversive activities. The act was prompted by activities that the Government perceived as threats to religious harmony, including aggressive and "insensitive" proselytizing and the "mixing of religion and politics." Violation of a restraining order issued under the MRHA is a criminal offense. The act also prohibits judicial review of its enforcement or of any possible denial of rights arising from its implementation.

The Government played an active but limited role in religious affairs. It did not tolerate speech or actions, including ostensibly religious speech or actions, which affected racial and religious harmony, and sometimes issued restraining orders barring participation in such activities. The Presidential Council for Religious Harmony reviewed such orders and made recommendations to the President on whether to confirm, cancel, or alter a restraining order. The Presidential Council for Minority Rights examined all pending legislation to ensure it was not disadvantageous to a particular group, reported to the Government on matters that affected any racial or religious community, and investigated complaints. The Government also supported citizen access to traditional religious organizations by assisting religious institutions to find space in public housing estates where most citizens lived. The Government maintained a semiofficial relationship with the Muslim community through the Islamic Religious Council (MUIS), which was established under the Administration of Muslim Law Act. The MUIS advised the Government on the Muslim community's concerns, maintained regulatory authority over Muslim religious matters, and oversaw a Mosque Building Fund financed by voluntary payroll deductions.

In January four sets of Muslim parents challenged the country's ban on girls wearing the traditional Muslim headscarf (tudung)

in school. When the parents refused to heed school warnings regarding the ban, the four 6-year-old girls were suspended. One subsequently returned to school in June, and another moved to Australia in July. The parents of the other two challenged the ban, and attempted to bring in longtime Malaysian opposition leader and lawyer Karpal Singh to present their case. However, the application for Singh's employment permit was refused. At year's end, the case was still pending.

Under the Societies Act, the Government bans meetings of Jehovah's Witnesses and the Unification Church. The Government deregistered and banned Jehovah's Witnesses in 1972 on the grounds that its approximately 2,000 members refused to perform obligatory military service, salute the flag, or swear oaths of allegiance to the State. The Government regarded such refusals as prejudicial to public welfare and order. While the Government did not outlaw the profession or propagation of the beliefs of Jehovah's Witnesses and did not arrest members merely for being believers, the result of deregistration was to make meetings of Jehovah's Witnesses illegal. The Government also banned all written materials published by the Jehovah's Witnesses' publishing affiliates, the International Bible Students Association, the Watch Tower Bible, and the Tract Society. In practice this has led to the confiscation of Bibles published by the group, even though publishing Bibles was not outlawed. A person in possession of banned literature can be fined up to \$1,100 (S\$2,000), and for holding a meeting a person can be fined up to \$2,300 (S\$4,000). In 2001 two persons were arrested for possession of banned Jehovah's Witness literature but were released by the authorities without formal charges being filed.

Since the beginning of 2000 public primary and secondary schools indefinitely suspended 22 students who were members of Jehovah's Witnesses for refusing to sing the national anthem or to participate in the flag ceremony. At year's end the suspension was still in effect. In 2001 a long-time public school teacher, who was a Jehovah's Witness, resigned after being threatened with dismissal and disciplinary action for refusing to sing the national anthem.

Missionaries, with the exception of members of Jehovah's Witnesses and representatives of the Unification Church, were permitted to work, to publish, and to distribute religious texts. However, while the Government did not prohibit evangelical activities in practice, it discouraged activities that could upset intercommunal relations.

For a more detailed discussion see the 2002 International Religious Freedom Report.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides citizens the right to move freely throughout the country; however, while the Government generally respected this right in practice, it limited it in a few respects. For example, citizens' choice of where to live sometimes was limited by the government's policy of assuring ethnic balance in publicly subsidized housing, in which the great majority of citizens lived (see Sections 1.f. and 5). The Government required all citizens and permanent residents over the age of 15 to register and to carry identification cards. The Government may refuse to issue a passport and did so in the case of former ISA detainees. Under the ISA, a person's movement may be restricted. In December 2001 and in August, five persons who were detained and questioned for possible terrorist activities later were released under restriction orders; the exact nature of the restrictions was not disclosed.

The right of voluntary repatriation was extended to holders of national passports. The Government actively encouraged citizens living overseas to return home or at least to maintain active ties with the country. A provision of law for the possible loss of citizenship by citizens who resided outside the country for more than 10 consecutive years seldom was used.

Males are required to serve 2 years of national service upon turning 18 years of age. They also are required to undergo reserve training up to the age of 40 (for enlisted men) or 50 (for officers). Male citizens with national service reserve obligations are required to advise the Ministry of Defense if they plan to travel abroad for less than 6 months and require an exit permit for trips over 6 months. In 2001 the Government significantly relaxed the regulations governing international travel prior to enlistment by boys aged 11 and above. Boys aged 11 to 16½ years are issued passports that are valid for 2 years and are no longer required to obtain exit permits. From the age of 16½ until the age of enlistment, male citizens are granted 1-year passports and are required to apply for exit permits for travel that exceeds 3 months.

The law stipulates that former members of the Communist Party of Malaya (CPM) residing outside the country must apply to the Government to be allowed to return. They must renounce communism, sever all organizational ties with the CPM, and pledge not to engage in activities prejudicial to the State's internal security. In addition, the law requires them to submit to an interview by the Internal Security Department and to any restrictive conditions imposed on them.

The law does not include provisions for granting refugee or asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government does not grant first asylum. However, the authorities usually permitted persons claiming asylum to have their status determined by the U.N. High Commissioner for Refugees (UNHCR) for possible resettlement elsewhere. There were no reports that persons were returned to a country where they feared persecution. A small number of ethnic Chinese persons from Indonesia have entered the country as visitors for temporary stays during episodes of racial or religious strife.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully through democratic means. Opposition



parties are free to contest elections, and the voting and vote-counting systems are fair and free from tampering; however, the PAP, which has held power continuously and overwhelmingly for more than three decades, has used the government's extensive powers to place formidable obstacles in the path of political opponents. In November 2001, a general election was held. The Prime Minister requested dissolution of Parliament more than 6 months before the end of its full term. The opposition contested only 29 of 84 seats and won only 2 seats. There were no opposition allegations of irregularities in the casting or counting of votes in the election. The opposition continued to criticize what it described as PAP abuse of its incumbency advantages to extensively handicap opposition parties. The PAP maintained its political dominance in part by developing voter support through effective administration and its record in bringing economic prosperity to the country, and in part by manipulating the electoral framework, intimidating organized political opposition, and circumscribing the bounds of legitimate political discourse and action. The belief that the Government might directly or indirectly harm the employment prospects of opposition supporters curtailed opposition political activity; however, there were no confirmed cases of such retaliation. As a result of these and other factors, opposition parties were unable to seriously challenge the ruling party. The PAP claimed that the lack of an effective opposition was due to disorganization, weak leadership, and a lack of persuasive alternative policies.

The country has a parliamentary system in which the majority party in Parliament has the authority to constitute the Government, which is headed by a Prime Minister. The parliamentary term is for no more than 5 years after the first sitting of Parliament following a general election. Parliament may be dissolved early by presidential proclamation, which normally follows a request by the Prime Minister. Elections must be held within 3 months of Parliament's dissolution. Following the 2001 elections, the PAP held 82 of 84 elected seats; the opposition Singapore People's Party and the Workers' Party each held 1 seat. A constitutional amendment allows at least three opposition members in Parliament even if fewer than three actually were elected. Following the elections, the Government allotted a nonconstituency seat to Singapore Democratic Alliance candidate Steve Chia, the opposition candidate who had obtained the highest share of the vote without winning a seat. In addition, a parliamentary committee nominated and the President appointed Nominated Members of Parliament (N.M.P.s) for 2-year terms. In July nine N.M.P.s were appointed by the President. The voting rights of nonconstituency members and N.M.P.s were restricted.

The PAP had an extensive grassroots system and a carefully selected, highly disciplined membership. The recent development of government-organized and predominantly publicly funded Community Development Councils (CDCs) to promote community development and cohesion and provide welfare and other assistance services has strengthened the PAP, which dominates these CDCs even in opposition-held constituencies and has used the threat of withdrawing benefits. During the last two election campaigns, the Prime Minister and other senior government officials warned voters that precincts that elected opposition candidates would have the lowest priority in government plans to upgrade public housing facilities. This statement heightened concerns among some observers about voters' genuine freedom to change their government.

The PAP completely controlled the political process through patronage, influence over the press, reported influence over the courts, and limited opposition political activities. Often these means were fully consistent with the law and the normal prerogatives of the Government, but the overall effect (and, many argued, ultimate purpose) was to disadvantage and weaken the political opposition. For example, the Government altered dramatically the boundaries of election districts only 17 days before the 2001 general election, abolishing some constituencies and moving many other constituencies' borders. Since 1988 it has changed all but nine single-seat constituencies into Group Representational Constituencies (GRCs) of three to six parliamentary seats, in which the party with a plurality wins all of the seats. According to the Constitution, such changes are permitted to ensure ethnic minority representation in Parliament; each GRC candidate list must contain at least one Malay, Indian, or other ethnic minority candidate. However, these changes made it more difficult for opposition parties, all of which had very limited memberships, to fill multimember candidate lists. The PAP did not suffer from this disadvantage.

Although political parties legally were free to organize, they operated under the same limitations that applied to all organizations, and the authorities imposed strict regulations on their constitutions, fundraising, and accountability (see Section 2.b.). Political parties and organizations were subject to strict financial regulations, including a ban on receiving foreign donations. Government regulations hindered attempts by opposition parties to rent office space in government housing or to establish community foundations. In addition, government influence extended in varying degrees to academic, community service, and other NGOs.

The Films Act bans political films and recorded televised programs, which puts opposition parties at a disadvantage. The ban, which ostensibly was to prevent the sensationalist or emotional effect that video or film productions could have on political issues, applied to the PAP as well as to the opposition parties. Nonetheless it had the effect of denying opposition parties, which already received far less coverage than did the PAP in the government-influenced press and media, a potential outlet for their political messages. A 2001 law limits the ability of political parties and others to use the Internet for political purposes during election campaigns (see Section 2.a.).

The threat of civil libel or slander suits, which government leaders often used against political opponents and critics and consistently won, had a stifling effect on the full expression of political opinion and disadvantaged the formal political opposition (see Section 2.a.). Large judgments in libel suits can lead to bankruptcy, and under the law, bankrupt persons are ineligible to sit in Parliament. The Penal Code also provides for criminal defamation offenses. In July police opened criminal defamation investigations against two individuals (see Section 2.a.).

In the past, the Government also used parliamentary censure or the threat of censure to humiliate or intimidate opposition leaders. Government entities also used libel or slander suits, and dismissal from positions in government-related entities, to intimidate prominent opposition politicians.

The Government placed significant obstacles in the way of opposition political figures' candidacy for the presidency, a largely ceremonial position that nonetheless had significant budget oversight powers, as well as some powers over civil service appointments and internal security affairs. For example, opposition members were much less likely to satisfy the requirement that they have experience in managing the financial affairs of a large institution, since many of the country's large institutions are government-run or linked to the Government. Opposition political figures asserted that such strict compliance requirements weakened opposition parties.

Voting was compulsory, and women and minorities voted at approximately the overall 95 percent rate in contested constituencies. There was no legal bar to the participation of women in political life; women held only 10 of the 84 elected parliamentary seats, an increase from 6 female M.P.s in the previous Parliament. During the year, there were no female ministers, but 3 of the 14 Supreme Court justices were women.

There was no restriction in law or practice against minorities voting or participating in politics; they actively participated in the political process and were well represented throughout the Government, except in some sensitive military positions. Malays made up approximately 15 percent of the general population and held approximately the same percentage of regularly elected seats in Parliament. Indians made up approximately 7 percent of the general population and held approximately 10 percent of the regularly elected seats in Parliament. Minority representation in Parliament was, in part, the result of a legal requirement that candidate slates in every multiseat constituency have at least one minority representative. During the year, there was one ethnic Malay minister and one ethnic Indian minister. Two of the 14 Supreme Court justices were ethnic Indian; there were no Malays on the court.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Efforts by independent organizations to investigate and evaluate government human rights policies faced the same obstacles as those faced by opposition political parties. Some domestic NGOs criticized restrictions on human rights or suggested changes that would relax or remove restrictions. The NGOs were subject to registration under the Societies Act (see Section 2.b.). In 2001 two organizations that criticized the Government on human rights grounds were declared "political" organizations by the Government, but their operations were unaffected (see Section 2.b.).

In recent years, the Government permitted international human rights organizations to observe human rights related court cases. In 2001 opposition politician J.B. Jeyaretnam's bankruptcy appeal was witnessed by a Canadian observer, who acted as a representative of both Amnesty International and the Lawyers' Rights Watch in Canada.

#### Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution states that all persons are equal before the law and entitled to the equal protection of the law, and the Government generally carried out these provisions in practice. The Constitution contains no explicit provision providing equal rights for women and minorities. Mindful of the country's history of intercommunal tension, the Government took affirmative measures to ensure racial, ethnic, religious, and cultural nondiscrimination. Social, economic, and cultural benefits and facilities were available to all citizens regardless of race, religion, or sex. However, men did not have the right to seek alimony from their wives in cases of divorce or separation. In October the Community Development Ministry denied a proposal that would have given men the right to seek such financial support.

##### Women

The Penal Code and the Women's Charter criminalize domestic violence and sexual or physical harassment; however, violence or abuse against women was not seen as a significant problem. A victim of domestic violence can obtain court orders barring the spouse from the home until the court is satisfied that the spouse has ceased aggressive behavior. Court orders for protection against violent family members have increased in recent years, in part because the definition of violence includes intimidation, continual harassment, or restraint against one's will. The Penal Code prescribes mandatory caning and a minimum imprisonment of 2 years for conviction on any charge of "outraging modesty" that caused the victim fear of death or injury. The press gave fairly prominent coverage to instances of abuse or violence against women. There were several organizations that provided assistance to abused women. The Association of Women for Action and Research (AWARE) had a hot line that offered counseling and legal advice. The Family Protection and Welfare Service, an office of the Ministry of Community Development and Sports, documented physical and psychological abuse, and provided counseling and other support services to abused women. In 1999 the Council of Women's Organizations established a crisis center for abused persons. The Star shelter accepted children, women, and men, and could accommodate up to 30 persons. The Government enforced the law against rape, which provides for imprisonment of up to 20 years and caning for offenders. Under the law, rape can only be committed by a man, and spousal rape is not a crime.

The country's laws neither ban nor authorize prostitution per se. However, public solicitation, living on the earnings

of a prostitute, and maintaining a brothel are illegal. The authorities periodically carried out crackdowns on solicitation for prostitution, and arrested and deported foreign prostitutes, particularly when their activities took place outside of informally designated red light areas. In practice police unofficially tolerated and monitored a limited number of brothels; prostitutes in such establishments were required to undergo periodic health checks and carry a health card. Sexual intercourse with girls under the age of 16 is illegal. There was no evidence that child prostitution was a problem.

Trafficking in women for the purpose of prostitution was a problem (see Section 6.f.).

Women enjoyed the same legal rights as men in most areas, including civil liberties, employment, commercial activity, and education. The Women's Charter gives women, among other rights, the right to own property, conduct trade, and receive divorce settlements. Muslim women enjoyed most of the rights and protections of the Women's Charter. For the most part, Muslim marriage law fell under the administration of the Muslim Law Act, which empowers the Shari'a court to oversee such matters. Those laws allow Muslim men to practice polygyny, although requests to take additional spouses may be refused by the Registry of Muslim Marriages, which solicits the views of an existing spouse or spouses and reviews financial capability. Of the 4,000 Muslim marriages registered in 2001, only 20 were polygynous. Both men and women have the right to initiate divorce proceedings; however, in practice women faced significant difficulties that often prevented them from pursuing proceedings.

Women constituted 42 percent of the labor force and were well represented in many professions but held few leadership positions in the private sector. They still held the preponderance of low-wage jobs such as clerks and secretaries; however, there were some women who held senior corporate leadership positions. The average salary of women was 72 percent of that of men in comparable jobs. Observers noted that the wage differential was smaller in professional jobs, and that wage disparities could be attributed in part to differences in average educational levels and work experience. On December 5, the Government announced a change to the Medical Registration Act, which is intended to eliminate a quota on female medical student admissions into the National University of Singapore.

There were no specific laws prohibiting stalking or sexual harassment, and sexual harassment was not viewed as a significant issue. However, the Miscellaneous Offences Act and laws prohibiting insults to modesty successfully were used to prosecute such offenses.

Women were unable to transmit citizenship to a child born abroad; the children of male citizens automatically acquired citizenship at birth. Women were able to sponsor noncitizen husbands for citizenship as of 1999. Legislation passed in 2001 expanded health benefits to cover the immediate family members of female civil service employees; only male civil service employees had previously been covered.

#### Children

The Government demonstrated its strong commitment to children's rights and welfare through its well-funded systems of public education and medical care. Access to public education and medical care was equal for all children. In 2000 the Government enacted legislation making 6 years of education in public schools compulsory by 2003. Although school attendance has not been compulsory, virtually 100 percent of children were enrolled through grade 6, and the dropout rate for secondary school was low. The Children and Young Persons Act established protective services for orphaned, abused, disabled, or troubled children, and created a juvenile court system. The Ministry of Community Development worked closely with the National Council for Social Services to oversee children's welfare cases. Voluntary organizations operated most of the homes for children, while the Government funded up to 50 percent of all child costs, which included normal living expenses and overhead, as well as expenses for special schooling, health care, or supervisory needs. In some cases, the Government covered 100 percent of such costs.

There was no societal pattern of child abuse.

The Ministry for Community Development and Sports sponsored activities promoting children's causes, including family stability. This agency and several NGOs focused on keeping fathers involved in their children's lives and on preventing child abuse.

#### Persons with Disabilities

The Government maintained a comprehensive code on barrier-free accessibility; this established standards for facilities for persons with physical disabilities in all new buildings and mandated the progressive upgrading of older structures. There was no legislation addressing equal opportunities for persons with disabilities in education or employment. However, the National Council of Social Services, in conjunction with various voluntary associations, provided an extensive job training and placement program for persons with disabilities. A tax deduction of up to \$57,000 (S\$100,000) was available to employers to defray building modifications to benefit employees with disabilities. Informal provisions in education have permitted university matriculation for visually impaired, deaf, and physically disabled students. There were 19 special education schools that enrolled 4,200 students. It is expected that upon completion of retrofitting, one out of every eight schools will be accessible to handicapped students.

The Government allowed a tax deduction of up to \$1,900 (S\$3,500) per individual for families caring for a sibling, spouse, or child with disabilities. Mental and physical disabilities were treated in the same way. Press coverage of the activities and achievements of persons with disabilities was extensive, and discrimination or abuse of persons with disabilities did not appear to be a problem.

#### National/Racial/Ethnic Minorities

Ethnic Malays constituted approximately 15 percent of the total population. The Constitution acknowledges them as the indigenous people of the country and charges the Government to support and to promote their political, educational, religious, economic, social, cultural, and language interests. The Government took steps to encourage greater educational achievement among Malay students as a key to economic advancement. However, ethnic Malays have not yet reached the educational or socioeconomic levels achieved by the ethnic Chinese majority, the ethnic Indian minority, or the Eurasian community. Malays remained underrepresented at senior corporate levels, and, some assert, in certain sectors of the Government and the military. This reflected their historically lower educational and economic levels, but some argued that it also was a result of employment discrimination. The Government has issued guidelines that call for eliminating language referring to age, gender, or ethnicity in employment advertisements; restrictive language pertinent to job requirements, such as "Chinese speaker" or "physically strong" remains acceptable. These guidelines were generally followed.

The Presidential Council on Minority Rights examined all pending bills to ensure that they were not disadvantageous to a particular group. It also reported to the Government on matters that affected any racial or religious community and investigated complaints.

The Government enforced ethnic ratios for publicly subsidized housing, where the majority of citizens lived and owned their own units, a policy designed to achieve an ethnic mix more or less in proportion to that in society at large.

#### Section 6 Worker Rights

##### a. The Right of Association

The Constitution provides all citizens with the right to form associations, including trade unions; however, Parliament may impose restrictions based on security, public order, or morality grounds. The right of association was restricted by the Societies Act and by labor and education laws and regulations. Under these laws, any group of 10 or more persons is required to register with the Government. The Trade Unions Act authorizes the formation of unions with broad rights, albeit with some narrow restrictions such as prohibitions on the unionization of uniformed personnel. The Trade Unions Act prohibits government employees from joining trade unions but the President has the power to make exemptions from this provision. The Amalgamated Union of Public Employees was granted such an exemption, and its scope of representation was expanded over the years to cover all public sector employees except the most senior civil servants. The Trade Union Act restricts the right of trade unions to elect their officers, and whom they may employ. Foreigners and those with criminal convictions may not hold union office or become employees of unions. However, exemptions could be granted by the Minister. The act limits the objectives on which unions can spend their funds and prohibits payments to political parties or the use of funds for political purposes. According to government statistics, the national labor force was made up of approximately 2.2 million workers, approximately 340,000 of whom were represented by 71 unions. Almost all of the unions (which represented virtually all of the union members) were affiliated with the National Trades Union Congress (NTUC), an umbrella organization with a close relationship with the Government.

The NTUC acknowledged that its interests were linked closely with those of the ruling PAP, a relationship often described by both as symbiotic. The NTUC's Secretary General (SG), Lim Boon Heng, a PAP M.P., was a member of the Cabinet as Minister in the Prime Minister's Office. Young PAP M.P.s often were given leadership positions in the NTUC or a member union. The NTUC policy prohibited union members who supported opposition parties from holding office in affiliated unions. In November the branch chairman of a union affiliated with NTUC was elected secretary general of the Singapore Democratic Alliance, an opposition body. In December he was stripped of both his union position and his membership in the union. In response he filed an appeal that was pending at year's end. While the NTUC was financially independent of the PAP, with income generated by NTUC-owned businesses, the NTUC and the PAP shared the same ideology and worked closely with management in support of nonconfrontational labor relations. The NTUC was free to associate regionally and internationally.

##### b. The Right to Organize and Bargain Collectively

Collective bargaining was a normal part of labor-management relations in the industrial sector. Collective agreements must be certified by the tripartite Industrial Arbitration Court (IAC) before going into effect. The IAC could refuse certification at its discretion on the ground of public interest. Transfers and layoffs were excluded from the scope of collective bargaining. However, in practice employers did consult with unions on both issues, and the tripartite National Wages Council issued guidelines calling for early notification to unions of layoffs. Disputes could be settled through discussions with the Ministry of Manpower. If conciliation fails, the parties may submit their cases to the IAC. In limited situations, the law provides for a system of recourse to compulsory arbitration, which can put an end to collective bargaining at the request of only one of the parties. However, the compulsory arbitration clause has not been used since 1981. Agreements between management and labor were renewed every 2-3 years, although wage increases were negotiated annually. Yearly guidelines on raises and bonus pay

issued by the National Wages Council (NWC), a group composed of labor, management, and government representatives, served as the starting point for bargaining agreements. In 1999 in response to the economic downturn, the Government adopted an NWC proposal in which, subject to negotiation in each enterprise, up to 10 percent of salaries would be considered "variable" each month, allowing companies to eliminate that portion of pay if there were financial problems. The intent was to minimize job losses in a severe business downturn.

Workers in "essential services" were required to give 14 days notice to an employer before striking, and there was a prohibition on strikes by workers in the water, gas and electricity sectors. Other workers have the legal right to strike but rarely did so. There were no specific laws that prohibited retaliation against strikers. The law provides that before striking, unionized workers must vote in favor of the strike by secret ballot. In August Singapore Airline pilots came close to taking industrial action on a dispute over working conditions; the airline pilot union was the only significant union not affiliated with the NTUC. The strike was averted after the Ministry of Manpower intervened to mediate between the parties. Most disagreements were resolved through informal consultations with the Ministry of Manpower. If conciliation failed, the disputing parties usually submitted their case to the Industrial Arbitration Court, which had representatives from labor, management, and the Government. Besides these labor dispute mechanisms and the close working relationship and shared views among labor, management, and the Government, the maintenance of labor peace has been a product of high economic growth rates, regular wage increases, and a high degree of job mobility in a virtual full-employment economy. In addition, the widely held view that labor conflict would undermine the country's economic competitiveness and attractiveness to investors, compounded with a cultural aversion to confrontation helped to maintain a harmonious labor situation.

There were no export processing zones.

#### c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children, and the Government generally enforced this provision effectively. Under sections of the Destitute Persons Act, any indigent person may be placed in a welfare home and assigned suitable work. The International Labor Organization (ILO) criticized the coercive terms of this act, which included penal sanctions not in compliance with the ILO Convention on Forced Labor. The Government maintained that the act was social legislation providing for the shelter, care, and protection of destitute persons, and that work programs were designed to reintegrate individuals into society.

#### d. Status of Child Labor Practices and Minimum Age for Employment

The Government enforced the Employment Act, which prohibits employment of children under the age of 12. Restrictions on the employment of children between the ages of 12 and 16 were rigorous and fully enforced. Children under the age of 14 generally were prohibited from employment in the industrial sector. Exceptions included family enterprises; children may work in a business in which only members of the same family are employed. A child of 12 or older may be employed in light work, subject to medical clearance. Employers had to notify the Commissioner of Labor within 30 days of hiring a child between the ages of 14 and 16 and attach a medical certification of the child's fitness for employment. The incidence of children in permanent employment was low, and abuses were almost nonexistent.

Ministry of Manpower regulations prohibited night employment of children and restricted industrial work for children between the ages of 14 and 16 to no more than 7 hours a day, including the hours spent in school. Children may not work on commercial vessels, with moving machinery, on live electrical apparatus lacking effective insulation, or in any underground job. The Minister of Manpower effectively enforced these laws and regulations.

#### e. Acceptable Conditions of Work

There were no laws or regulations on minimum wages or unemployment compensation. However, the National Wages Council, a tripartite body consisting of the Government, labor, and business, monitored the economy and made annual recommendations to the Government concerning wage guidelines. The labor market offered good working conditions and relatively high wages, which provided a decent standard of living for a worker and family.

The Employment Act sets the standard legal workweek at 44 hours and provides for 1 rest day each week.

The Ministry of Manpower effectively enforced laws and regulations establishing working conditions and comprehensive occupational safety and health laws. Enforcement procedures, coupled with the promotion of educational and training programs, were implemented to reduce the frequency of job-related accidents. While a worker had the right under the Employment Act to remove himself from a dangerous work situation, his right to continued employment depended upon an investigation of the circumstances by the Ministry of Manpower.

Because of a domestic labor shortage, approximately 600,000 foreign workers were employed legally, constituting about 30 percent of the total work force. There were no reliable estimates of the number of foreigners working illegally. Most foreign workers were unskilled laborers and household servants from other Asian countries. Foreign workers faced no legal wage discrimination. However, they were concentrated in low-wage, low-skill jobs and were often required to work long hours. Most

foreign construction workers live on worksites in substandard conditions.

Although the great majority of the more than 100,000 maids (mainly from the Philippines, Indonesia, and Sri Lanka) worked under clearly outlined contracts, their low wages, dependence on their employers for food and lodging, and relative isolation made them vulnerable to mistreatment and abuse. A 1998 amendment to the Penal Code, in response to concern about cases of maid abuse, increased the punishment for confining or sexually or physically abusing a maid. The authorities fined or imprisoned employers who abused domestics, often with great publicity. In April a woman who had severely abused her 19-year-old maid was sentenced to 5 years in jail. In July a man who killed his maid was convicted of manslaughter and sentenced to 18 years in jail and 12 strokes of the cane. Both cases highlighted the plight of maids and prompted local debate on possible preventative solutions. Substantiated cases of abuse of foreign domestics fell by almost 50 percent following the 1998 amendment strengthening legal penalties. During the year, cases declined with only 8 substantiated cases compared to 41 cases in 2001.

Most maids worked 6 days per week from very early morning until late in the evening. Many contracts allowed only 1 day off per month. Contracts often stipulated that, even when she was not working, a maid was required to remain on the premises unless on official duties or on her day off. According to Ministry of Manpower Statistics, wages averaged approximately \$250 (S\$456) per month, not including free room and board. Maids often had to set aside most or all of their wages for the first several months of employment to reimburse their placement agents. Work permits for low-wage foreign workers could be cancelled if a worker applied to marry or married a citizen or permanent resident.

Many lower paid foreign workers were not covered under the Employment Act and ineligible for limited free legal assistance from the Government. However, the Ministry of Manpower offered conciliation services for all employees, foreign or local. The Foreign Workers Unit of the Ministry of Manpower provided free advisory and mediation services to foreign workers experiencing problems with employers. The Government allowed complainants to seek legal redress.

#### f. Trafficking in Persons

The law prohibits trafficking in persons; however trafficking in persons was a problem. The country was a destination for trafficking in women for the purpose of prostitution. Almost all sex workers were foreign; most originated in Thailand, the Philippines, Malaysia, China, Indonesia, Vietnam, India or Sri Lanka. Almost all foreign prostitutes were aware when they entered the country that they were going to be employed as prostitutes. However, some may have had their passports held by employers after their arrival, or were subject to other coercive treatment. In other cases, recruiters in source countries offered women jobs as maids, bar hostesses or waitresses, and sometimes offered up-front payment as inducement. On arrival these women were forced to work as prostitutes and subjected to threats and violence if they resisted. While prostitution was not an offense per se, public solicitation was illegal. Police periodically carried out crackdowns on prostitutes, particularly those operating outside of informally designated red light areas (see Section 5). Foreign prostitutes detained in these raids usually were deported quickly; on occasion some trafficking victims may become caught up among these deportees. Foreign prostitutes also were deported immediately if they tested positive for HIV/AIDS or other sexually transmitted diseases. Authorities prosecuted some cases of trafficking. In 2001 a court jailed a man for 24 months for trafficking 4 women from China with job offers as waitresses on a Singapore-based cruise ship. The young women learned they were expected to work as prostitutes after they arrived in the country.

The three major laws that governed trafficking and prostitution are the Women's Charter, the Children and Young Person's Act, and the Penal Code. The law makes trafficking in women and children, whether or not it is related to prostitution, punishable by up to 5-years imprisonment, a \$5,700 (S\$10,000) fine, and caning. Traffickers could be prosecuted under the Penal Code's "wrongful constraint" provision, which carries maximum punishments of 10 years imprisonment and a fine. Convicted traffickers could be found guilty of violating more than one law. There was no specific campaign to combat or prevent the use of fraud or coercion to recruit foreign women as prostitutes, although some persons were prosecuted and punished for crimes involving such acts.

In practice successful investigation and prosecution of trafficking in persons required that victims remained in or returned to the country to testify. Victims were urged by police to remain in the country until the case was prosecuted and generally they did; however, some abused domestics left and were brought back to testify. Victims did not receive government assistance during this period or at other times, and indicated they sometimes were not granted permission for alternative employment and were dependent on support from their embassy. NGOs did not provide assistance to trafficked victims. Laws requiring citizens to report immigration violators hampered assistance to trafficking victims. The authorities did notify embassies of the arrest of nationals, including for prostitution-related offenses, and allowed consular access. Prostitutes rarely contacted embassies voluntarily, unless detained for solicitation or immigration offenses during police sweeps. However, victims of crimes, including domestics alleging abuse, sometimes requested and received assistance from their embassies.